

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

CHARLES JUNIOR BARBER,

Plaintiff,

v.

Case No.: 2:20-cv-54-FtM-38MRM

MEDICAL DEPARTMENT, AMANDA
MILLER, CHERIN ALDERDIOE and
ANNETT ALDERMAN,

Defendants.

_____ /

OPINION AND ORDER¹

This matter is before the court on sua sponte review of the record. On May 13, 2020, the Court directed Plaintiff to file an amended complaint by May 27, 2020. ([Doc. 7](#)). The Court provided Plaintiff with a reasonable opportunity to respond to the Order and Plaintiff was put on notice that the case would be dismissed if he failed to comply. As of the date on this Order, Plaintiff has neither complied with the Court's Order, nor sought an enlargement of time to do so. Thus, the Court finds Plaintiff has failed to prosecute this case and that the case is due to be dismissed without prejudice under M.D. Fla. Rule 3.10(a). Because the Court is dismissing this action without prejudice, Plaintiff may file a new complaint if he wishes to pursue his claim.

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

Accordingly, it is now

ORDERED:

1. Plaintiff Charles Barber's case is **DISMISSED without prejudice**.
2. The Clerk of the Court shall enter judgment, terminate any pending motions as moot, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 3rd day of June 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-2

Copies: All Parties of Record